

Attorney Docket: JP920020120US1/3723P

REMARKS

Claims 1-4, 6-7, 11, 13, and 15-27 are pending in the present application. Although, no claims have been amended in the present response, applicants have provided a listing of the pending claims for the Examiner's convenience.

Claim Rejections

Claims 1-3, 6, 11, and 18-19 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Ozawa, Japanese Patent Publication No. 08-162864 (hereinafter "Ozawa"). Claim 4 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ozawa in view of Shinada et al., U.S. Patent No. 5,940,517 (hereinafter "Shinada"). Claims 7, 13, 15-16, 20-21, and 23-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ozawa in view of what is well known in the art. Claims 17, 22, and 27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ozawa in view of Kim, U.S. Patent No. 5,910,798 (hereinafter "Kim").

The Examiner is thanked for speaking with the applicants' attorney over the telephone on March 9, 2006 and March 13, 2006 regarding the present application. As discussed with the Examiner, it is the applicants' position that the Ozawa reference does not disclose "restor[ing] the variation amount associated with the designated value from the smaller second variation amount back to the predetermined first variation amount when a variation amount retention period lapses after a previous designated value change directive is received," as recited in claims 1, 11, and 13. However, because the machine translation of the Ozawa reference is not altogether clear, the

Attorney Docket: JP920020120US1/3723P

Examiner agreed to the applicants' proposal to submit a certified translation of a portion of the Ozawa reference cited by the Examiner, which is attached herewith.

Ozawa, based on the certified translation, only discusses "do[ing] fine adjustment of the sound volume when the Up key 5 is operated within a specified time from when the Down key 6 is operated" and "do[ing] rough adjustment of the sound volume when the Up key 5 is operated past a specified time after the Down key 6 is operated." (Paragraph [0008] of Ozawa). In other words, Ozawa only teaches changing to fine adjustments or using preset rough adjustments, it does not teach or suggest changing from rough adjustment to fine adjustment, and then from fine adjustment back to rough adjustment.

Further, only one time period is discussed in Ozawa. In contrast, there are two separate time periods in claims 1, 11, and 13—"a predetermined variation amount change period," which relates to when the variation amount is changed "from the predetermined first variation amount to a smaller second variation amount," versus "a variation amount retention period," which relates to when the variation amount is changed "from the smaller second variation amount back to the predetermined first variation amount."

Since neither Shinada nor Kim cures the deficiencies of Ozawa and the Office action does not cite anything well known in the art which cures the deficiencies of Ozawa, applicants respectfully submit that claims 1, 11, and 13, and the claims that depend therefrom, are not anticipated by Ozawa and are patentable over Ozawa in view of Shinada, Kim, and what is well known in the art based at least on the reasons above.

Attorney Docket: JP9200201200US1/3723P

CONCLUSION

On the basis of the above remarks, reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,
SAWYER LAW GROUP LLP

Dated: April 3, 2006


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